

## **REMARKS/ARGUMENTS**

Claims 1-10 were pending in this application. According to the March 9, 2006 Office Action, claims 1-10 were rejected. Applicants have amended claims 1, 2, and 4-10. Accordingly, claims 1-10 are under consideration. Applicants maintain that the amendments do not introduce any new matter.

### **Amendment to the Specification**

In response to the Examiner's request to amend the Specification to reflect the status of the parent application, Applicants have amended page 1 of the Specification to reflect that the parent application 10/070,482 is now issued patent 6,701,960.

### **Amendments to Claim 2 and 4-10**

Applicants have amended claims 2 and 4-10 to correct minor formal matters.

### **Examiner's Comment Regarding the Claim Scope**

In the Office Action the Examiner indicated that the claims appear to be drawn to Figure 9 of the application. Applicants submit that the claims are drawn to at least Figure 9 of the application.

### **Rejection of Claims 1-10 in view of Bass**

The Examiner rejected previously presented claims 1-10 under 35 U.S.C. 102(b) as being anticipated by Bass et al., patent 6,132,618 (hereinafter Bass). In response to the Examiner's rejection, Applicants have amended independent claim 1 to more clearly recite Applicants' invention. Claim 1 now recites in part a separating arrangement wherein:

a first separation unit is operable to receive [a] supply fluid,  
an input of [a] pump is connected to the first separation unit ...,  
an output of the pump is connected to a second separation unit ..., and  
the first separation unit is connected to ... an outlet of the second  
separation unit, which delivers fluid enriched with admixed component,

... in order to supply the first separation unit with pressurised fluid ..., the first separation unit being further operable to separate components from the supplied pressurised fluid to produce a treated fluid and to add the treated fluid to the received supply fluid to produce [a] diluted supply fluid and to convey the diluted supply fluid to the pump input.

Applicants respectfully submit that Bass does not teach, suggest, nor disclose a separating arrangement as now recited by amended claim 1. Referring to the Bass disclosure, Bass discloses in Figure 2, to which the Examiner makes reference, a separating arrangement that in one aspect, appears similar to the separating arrangement of claim 1. In particular, the separating arrangement of Bass Figure 2 includes a first separation unit (i.e., nanofiltration device 20) that receives a supply fluid from a feed tank 4, and a pump 25 having an input connected to the first separation unit and an output connected to a second separation unit (i.e., nanofiltration device 22). In addition, nanofiltration device 22, as a result of feed tank 4, appears to be connected to nanofiltration device 20 and to supply nanofiltration device 20 “with pressurised fluid.”

However, contrary to claim 1 of the present application, Bass discloses that nanofiltration device 20 receives a single combined supply fluid from both feed tank 4 and nanofiltration device 22 and directly filters this combined fluid to produce at outlet 23 a filtered fluid that has a reduced impurity concentration and that is forwarded to pump 25. Bass does not teach, suggest, nor disclose that nanofiltration device 20 is “operable to separate components from the supplied pressurised fluid [from nanofiltration device 22] to produce a treated fluid and to add the treated fluid to the received supply fluid [from tank 4] to produce [a] diluted supply fluid and to convey the diluted supply fluid” to pump 25, a claim 1 recites. In addition, while the filtered fluid at outlet 23 has a reduced impurity concentration, this reduction is simply the result of nanofiltration device 20 separating impurities from the combined supply fluid from feed tank 4 and nanofiltration device 22 and is not the result of diluting the supply fluid from feed tank 4, as claim 1 recites (Bass, column 6, line 61 to column 7, line 4; column 7, line 66 to column 8, line 14).

In addition, Applicants note that while nanofiltration device 22 provides a pressurised fluid to nanofiltration device 20 via outlet 29, this fluid is not “fluid enriched with admixed component”. Rather, as disclosed by Bass, nanofiltration device 22 essentially produces water at

outlet 29 (Bass, column 8, lines 15-21).

Applicants also note that in another aspect, the separating arrangement of Bass Figure 2 could be viewed as nanofiltration device 22 being a “first separation unit” and nanofiltration device 20 being a “second separation unit”. However, Applicants submit that viewing the separating arrangement of Bass Figure 2 in this fashion is also not Applicants’ invention as recited by claim 1. In particular, contrary to claim 1, nanofiltration device 22 is not “operable to receive the supply fluid” from feed tank 4 but rather, supplies a fluid to this tank. In addition, Applicants also note that while nanofiltration device 20 provides a pressurised fluid to nanofiltration device 22 via outlet 23, this fluid is not “fluid enriched with admixed component”. Rather, as indicated above, the fluid at outlet 23 is a filtered fluid with removed impurities.

Accordingly, for the foregoing reasons, Applicants respectfully submit that Bass does not teach or suggest claim 1, in addition to claims 4-10, which depend therefrom.

Turning to claims 2-3, these claims depend from claim 1 and are thereby also novel and nonobvious in view of Bass for the same reasons as set forth above for claim 1. In addition, these claims recite a pump that includes “a double-cone device”. Applicants respectfully submit that Bass does not teach, suggest, nor disclose that the separating arrangement of Bass Figure 2 includes a pump having a double-cone device.

### **Conclusion**

Since Bass fails to teach or suggest Applicants’ invention as now set forth in amended claims 1-10, Applicants submit that these claims are clearly allowable. Favorable reconsideration and allowance of these claims are therefore requested.

Applicants earnestly believe that this application is now in condition to be passed to issue, and such action is also respectfully requested. However, if the Examiner deems it would in any way facilitate the prosecution of this application, he is invited to telephone Applicants' counsel at the number below.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on June 9, 2006:

Robert C. Faber

Name of applicant, assignee or  
Registered Representative

Robert C. Faber  
Signature

June 9, 2006

Date of Signature

RCF:GRF

Respectfully submitted,

Robert C. Faber

Robert C. Faber

Registration No.: 24,322

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700